

SPARTANBURG COMMUNITY COLLEGE NOTIFICATION OF STUDENT'S RIGHTS UNDER FERPA

Family Educational Rights and Privacy Act of 1974 (FERPA)

The purpose of the Family Educational Rights and Privacy Act of 1974, known as FERPA or the "Buckley Amendment", applies to all educational institutions and educational agencies that receive funds under any program administered by the U.S. Secretary of Education. The purpose of the Act is two-fold: (1) to assure students attending an institution of postsecondary education access to their education records; and (2) to protect such individuals' rights to privacy by limiting the transferability of their records without their consent.

Education Record

Education records are defined as records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. Education records are not just "files" on students, they are records maintained in any way, including but not limited to handwriting, computer media, print, e-mail, film, microfilm/microfiche, video or audio tape. Education records do not include: Sole Possession Records, Law Enforcement Unit Records, Employment Records, Health Records, Alumni Records.

Disclosure of Education Records

Student records are maintained in the Registrar's Office. In accordance with FERPA, the College is restricted as to the release of certain educational records information without the written consent of the student. The College can release "directory information" which includes name, program of study, full or part-time status, degrees and awards, and dates of attendance without the student's written permission. Students must notify the Registrar in writing that he or she does not want any or all of the information designated as directory information disclosed.

Access to Education Records

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the Registrar, written requests that identify the

record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the student believes is inaccurate. Students may ask the College to amend a record that they believe is inaccurate. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Spartanburg Community College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605